

In the United States Court of Federal Claims

No. 21-2253
(Filed: February 17, 2022)

MALIK SHAKUR, *
on behalf of A.S., *
*
Plaintiff, *
*
v. *
*
*
UNITED STATES, *
*
Defendant. *

ORDER

On November 30, 2021, Plaintiff, proceeding *pro se*, filed a complaint with the Court. See ECF No. 1. However, Plaintiff failed to pay the filing fee of \$402.00—a \$350.00 filing fee plus a \$52.00 administrative fee—or request authorization to proceed without prepayment of fees by submitting a signed application to proceed *in forma pauperis* (“IFP”), as required by Rule 77.1(c) of the Rules of the United States Court of Federal Claims (“RCFC”). See ECF No. 4.

On January 5, 2022, the Court ordered Plaintiff to either pay the required filing fees or submit a completed IFP application by February 4, 2022. ECF No. 7. The Court warned that, if Plaintiff failed to do so, this case would be dismissed for failure to prosecute under RCFC 41(b). *Id.*

As of the date of this Order, Plaintiff has neither paid the required filing fees nor applied to proceed IFP. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under RCFC 41(b). The Clerk is **DIRECTED** to enter judgment accordingly.

On January 26, 2022, Defendant filed a motion to dismiss Plaintiff’s complaint for lack of subject-matter jurisdiction pursuant to RCFC 12(b)(1). See ECF No. 8. Because this case is dismissed for failure to prosecute under RCFC 41(b), Defendant’s motion is **DENIED AS MOOT**.

IT IS SO ORDERED.

s/ Thompson M. Dietz
THOMPSON M. DIETZ, Judge